

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>11/5/20</u>

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UNITED STATES OF AMERICA

- v. -

EDWIN GUERRIER, et al.

Defendants.  
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**3500 PROTECTIVE ORDER**

S1 18 Cr. 284 (JSR)

Upon the application of the United States of America, Geoffrey S. Berman, United States Attorney for the Southern District of New York, by and through Samuel L. Raymond and Jeffrey Coffman, Assistant United States Attorneys, of counsel, for an order precluding the dissemination of material produced pursuant to 18 U.S.C. § 3500 and/or *Giglio v. United States*, 405 U.S. 150 (1972) ("3500 Material"), and providing additional protections to a designated subset of the 3500 Material which has been classified as "Attorneys' Eyes Only," (the "Attorneys' Eyes Only 3500 Material"), made on consent of defense counsel, and based on the Court's independent review,

IT IS HEREBY ORDERED that (1) defense counsel must destroy or return to the Government all 3500 Material (and any copies thereof) at the conclusion of the trial of this matter or when any appeal has become final; (2) defense counsel and the


defendants are precluded from disseminating any of the 3500 Material to anyone beyond the defendants, defense counsel, and any paralegal or staff employed by the defense teams; (3) The defense may review 3500 Material with any witnesses who agree to be bound by the terms of this Order but such witnesses may not retain copies of the 3500 Material, and the defense must further keep a record of any witness(es) shown 3500 Material; and (4) the defendants are precluded from taking or keeping any paper copies of the 3500 Material (except for prior statements of law enforcement witnesses) with each defendant into any jail facility, whether before, during, or after trial; except that the defendants may review paper copies of the 3500 Material in the possession of defense counsel or any paralegal or staff employed by the defense, when in the presence of defense counsel or any paralegal or staff employed by the defense.

IT IS FURTHER ORDERED that any 3500 Material having been clearly designated as "Attorneys' Eyes Only 3500 Material," including any copies thereof or excerpts therefrom, or any information contained therein, shall not be disclosed to or possessed by the defendant, and may be disclosed only to defense counsel and to any paralegal or staff employed by the defense, until January 6, 2020, at which time the provisions of this Order

with respect to other 3500 Material apply.

IT IS FURTHER ORDERED that the defendants, defense counsel, and any paralegal or staff employed by the defense are precluded from publicly disclosing or disseminating the identity of any cooperating witnesses, civilian witnesses, or victim witnesses referenced in the Attorney Eyes' Only 3500 Material until January 27, 2020.

Dated: New York, New York  
12/29, 2019

  
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THE HONORABLE JES S. RAKOFF  
UNITED STATES DISTRICT JUDGE